| 1   | JULIA D. GREER (State Bar No. 200479)                                  |  |  |
|-----|--|--|--|
| 2   | KATHLEEN F. McCONNELL (State Bar No. 2)                                | 39479)   |  |
| 3   | COBLENTZ, PATCH, DUFFY & BASS LLP<br>One Ferry Building, Suite 200     |  |  |
|     | San Francisco, California 94111-4213                                   |  |  |
| 4   | Telephone: 415.391.4800<br>Facsimile: 415.989.1663                     |  |  |
| 5   | Email: ef-jgk@cpdb.com   |  |  |
| (   | ef-jdg@cpdb.com<br>ef-kfm@cpdb.com                                     |  |  |
| 6   | er-kini@cpdb.com   |  |  |
| 7   | Attorneys for Counterdefendant   |  |  |
| 8   | SONY MUSIC ENTERTAINMENT, erroneousl sued as SONY MUSIC HOLDINGS, INC. | У  |  |
| 9   |  |  |  |
|     |  |  |  |
| 10  | UNITED STATES  | DISTRICT COURT                                     |  |
| 11  | NORTHERN DISTRICT OF CALIFO  | ORNIA, SAN FRANCISCO DIVISION                      |  |
| 12  |  |  |  |
|     |  |  |  |
| 13  | STEVEN AMES BROWN,   | Case No. 08-02348 JSW (DMR)                        |  |
| 14  | Plaintiff,   | STIPULATION AND [PROPOSED]                         |  |
| 1.5 |  | ORDER EXTENDING BRIEFING                           |  |
| 15  | V.   | SCHEDULE AS MODIFIED                               |  |
| 16  | ANDREW B. STROUD, an individual,                                       | Date action filed: May 7, 2008                     |  |
| 17  | Defendant.   | Courtroom: 4, 3rd Floor (Oakland) Trial Date: None |  |
|     |  |  |  |
| 18  | AND DEFENDANT'S RELATED  | Date: May 10, 2012<br>Time: 11:00 a.m.             |  |
| 19  | COUNTERCLAIMS,   | Judge: Donna M. Ryu, Magistrate J                  |  |
| 20  |  |  |  |
| 20  | STEVEN AMES BROWN,   |  |  |
| 21  |  |  |  |
| 22  | Reply Counterclaimant,   |  |  |
|     | v.   |  |  |
| 23  | ANDREW B. STROUD, and SONY MUSIC                                       |  |  |
| 24  | HOLDINGS, INC.,  |  |  |
| 25  | Reply Counterdefendants.   |  |  |
|     |  |  |  |
| 26  |  |  |  |

Judge: Donna M. Ryu, Magistrate Judge

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| 1  | WHEREAS, on February 8, 2012, the Court ordered a briefing schedule and set a hearing     |  |  |
|----|---|--|--|
| 2  | date for the parties motion for sanctions on spoliation (Docket No. 374);                 |  |  |
| 3  | WHEREAS, the date of filing of the parties Joint Motion was set for March 16, 2012;       |  |  |
| 4  | WHEREAS, the same week the Joint Motion was due to be filed, plaintiff Steven Ames        |  |  |
| 5  | Brown underwent what was expected to be minor outpatient surgery;                         |  |  |
| 6  | WHEREAS, Mr. Brown suffered complications that will render it difficult for him to        |  |  |
| 7  | participate in the editing, finalizing and filing of the Joint Motion;                    |  |  |
| 8  | WHEREAS, all parties wish for Mr. Brown to fully participate in editing, finalizing and   |  |  |
| 9  | filing the Joint Motion;  |  |  |
| 10 | THEREFORE, the parties stipulate that, with the Court's permission, the briefing schedule |  |  |
| 11 | be amended as follows:  |  |  |
| 12 | Plaintiff Brown and Counter-Defendants Sony Music and Estate of Nina Simone shall file    |  |  |
| 13 | a joint motion for sanctions no later than March 23, 2012;                                |  |  |
| 14 | Any Opposition to the Motion shall be filed no later than April 13, 2012;                 |  |  |
| 15 | Any Joint Reply shall be filed no later than April 27, 2012.                              |  |  |
| 16 | The hearing shall be set for 11:00 a.m. on May 24, 2012. May 17, 2012, or on a date and   |  |  |
| 17 | time convenient to the Court.   |  |  |
| 18 | IT IS SO STIPULATED.  |  |  |
| 19 | DATED: March 14, 2012 COBLENTZ, PATCH, DUFFY & BASS LLP                                   |  |  |
| 20 |   |  |  |
| 21 | By: /s/ Julia D. Greer  |  |  |
| 22 | Julia D. Greer Attorneys for Reply Counterdefendant SONY                                  |  |  |
| 23 | MUSIC ENTERTAINMENT, erroneously sued as SONY MUSIC HOLDINGS, INC.                        |  |  |
| 24 | as solvi Wesic Heldivos, ive.   |  |  |
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CIVIL NO. 08-02348 JSW

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| 1 2 | DATED: March 14, 2012 | SHUKAT, HAFER, ARROW, WEBER & HERBSMAN                        |
|-----|-----------------------|---|
| 3   |                       |   |
| 4   |                       | By: <u>/s/ Dorothy M. Weber</u><br>Dorothy M. Weber           |
| 5   |                       | Attorneys for Reply Counterdefendant ESTATE OF NINA SIMONE    |
| 6   |                       |   |
| 7   | DATED: Moreh 14, 2012 | METHVEN 6- ACCOCIATEC   |
| 8   | DATED: March 14, 2012 | METHVEN & ASSOCIATES  |
| 9   |                       |   |
| 10  |                       | By: /s/ Melissa Newel   |
| 11  |                       | Melissa Newel Attorneys for Defendants ANDREW STROUD          |
| 12  |                       | and STROUD PRODUCTIONS AND ENTERPRISES, INC.                  |
| 13  |                       | TATES DISTRICT  |
| 14  | IT IS SO ORDERED.     |   |
| 15  | DATE: _March 14, 2012 | TT IS SO ORDERED  |
| 16  |                       | Donna M. Rýu  |
| 17  |                       | United States District Court Mart Judge Judge Donna M. Ryu  S |
| 18  |                       | Judge Dona  |
| 19  |                       | PRIV DISTRICT OF CO   |
| 20  |                       | DISTRICT  |
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CIVIL NO. 08-02348 JSW